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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,442	03/28/2001	Paul W. Bennett	5676-00600	6660

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EXAMINER

BLACKWELL, JAMES H

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/820,442	BENNETT, PAUL W.	
	Examiner	Art Unit	
	James H Blackwell	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norden-Paul et al. (hereinafter Norden-Paul, U.S. Patent No. 5,247,611).

In regard to independent Claim 1 (and similarly independent Claims 13, and 25), Norden-Paul teaches a spreadsheet comprised of a plurality of cells. Each cell is separately identified by one or more parameters that often act as row and/or column labels (Col. 3, lines 2-6). The spreadsheet is displayed on a patient's bedside. Each bedside workstation or terminal includes a video display unit with a viewable screen (3) for displaying information to the viewer (Col. 3, lines 64-67; compare with Claim 1 (and similarly Claims 13, and 25), "**... displaying a plurality of rows and at least one column in a matrix on a display screen**"). Norden-Paul also teaches a basic data cell (200) has several designated fields within the cell for displaying information (Col. 5, lines 4-5; compare with Claim 1 (and similarly Claims 13, and 25), "**... the at least one column comprises a first set of fields and a second set of fields**"). Norden-Paul also teaches that there are three basic types of information fields in cell (200). Mandatory information fields designated by dashed lines (201) and (202); optional information fields designated by dashed line (203); and notational information fields

designated by dashed lines (204-206) (Col. 5, lines 6-11; Fig. 2, see column designated (112); Fig. 3; compare with Claim 1 (and similarly Claims 13, and 25), “... **the first set of fields and the second set of fields comprise one or more mathematical operators and one or more numeric values**”). Norden-Paul does not specifically teach that the fields can contain *mathematical operators*. However, Norden-Paul does teach “flowsheets” that are often a type of spreadsheet arranged by a progression of time versus a particular parameter (Col. 2, lines 21-24). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that if the flowsheet can be a spreadsheet, and it is known that spreadsheets typically allow for mathematical operators to be entered into cells, that the flowsheet taught by Norden-Paul, with cells containing multiple data fields, could have contained mathematical operators, providing the benefit of spreadsheet functionality in a flowsheet. Norden-Paul continues to teach in Fig. 3 that fields can be displayed as claimed (see 201-203). Compare with Claim 1 (and similarly Claims 13, and 25), “... **each set of fields is displayed in columnar format down the plurality of rows in the at least one column**”). Norden-Paul also teaches that *the at least one column comprises a single column label which spans the width of one of the first set of fields and one of the second set of fields* (refer to Fig. 5, column labeled (112), that column’s heading label). Norden-Paul, as explained above, does not specifically teach that the fields can contain *mathematical operators*, but are allowed for by pointing out that a flowsheet is a kind of spreadsheet (see above argument; compare with Claim 1 (and similarly Claims 13, and 25), “... **automatically calculating a result by applying the mathematical operators to the numeric**

values”). Norden-Paul, as taught previously, allows for a display screen, thereby allowing the flowsheet to be displayed, “... **displaying the result on the display screen**”). Norden-Paul also teaches a notational feature (cell 453, Fig. 9) where data has been entered for each time period in the corresponding cells (453C). In the 11:30 and 12:30 time periods, the cells also contain an asterisk (*). By selecting the cell, the information represented by the asterisk will be displayed in a form such as those shown in Figs. 5-7. By selecting tile (453), all of the annotations for the tile will be displayed (Col. 6, lines 33-41). Though not specifically taught, it would have been obvious to one of ordinary skill in the art at the time of invention to presume that if hidden information can be revealed in the flowsheet by a user action, as taught, it can likewise be hidden, perhaps with a deselection action by the user, and hence the flowsheet is shown in its original state with the additional information hidden. The main benefit would have been to save space on the viewing screen, allowing more of the flowsheet to have been viewed. Compare with Claim 1 (and similarly Claims 13, and 25), “... **entering user input to hide one of the sets of fields; and redisplaying the at least one column by displaying the plurality of fields except for the hidden set of fields**”).

In regard to dependent Claim 2 (and similarly dependent Claims 14, and 26), Claim 2 (and similarly Claims 14, and 26) reflects the method as claimed in Claim 1, and are rejected along the same rationale.

In regard to dependent Claim 3 (and similarly dependent Claims 15, and 27), Norden-Paul teaches multiple fields in a cell (see Fig. 3; compare with Claim 3 (and similarly Claims 15, and 27), “... **the at least one of the columns which comprises**

the first set of fields and a second set of fields further comprises a third set of fields").

In regard to dependent Claim 4 (and similarly dependent Claims 16, and 28), Norden-Paul teaches column labeled (113) in Fig. 5, which contains the single column label "MD". Compare with Claim 4 (and similarly Claims 16, and 28), "***... the single column label is displayed at the top of the at least one column***").

In regard to dependent Claim 5 (and similarly dependent Claims 17, and 29), Norden-Paul teaches column labeled (112) in Fig. 5, which contains the single column labels "Order Date", and "Time". Compare with Claim 5 (and similarly Claims 17, and 29), "***... a first field label is displayed for the first set of fields below the single column label; and a second field label is displayed for the second set of fields in a same row as the first field label below the single column label***").

In regard to dependent Claims 6-7 (and similarly dependent Claims 18-19, and 30-31), Norden-Paul fails to specifically teach that *the first/second set of fields comprises one or more operation fields, which display one or more mathematical operators*. However, Norden-Paul does teach "flowsheets" that are often a type of spreadsheet arranged by a progression of time versus a particular parameter (Col. 2, lines 21-24). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that if the flowsheet can be a spreadsheet, and it is known that spreadsheets typically allow for mathematical operators to be entered into cells, that the flowsheet taught by Norden-Paul, with cells containing multiple data fields, could have

contained mathematical operators, providing the benefit of spreadsheet functionality in a flowsheet.

In regard to dependent Claims 8-9 (and similarly dependent Claims 20-21, and 32-33), Norden-Paul teaches that there are three basic types of information fields in cell (200). Mandatory information fields designated by dashed lines (201) and (202); optional information fields designated by dashed line (203); and notational information fields designated by dashed lines (204-206) (Col. 5, lines 6-11; Fig. 2, see column designated (112); Fig. 3; compare with Claims 8-9 (and similarly Claims 20-21, and 32-33), “... **the first/second set of fields comprises one or more number fields which display one or more numeric values**”).

In regard to dependent Claim 10 (and similarly dependent Claims 22-23, and 34-35), Norden-Paul teaches notational information fields designated by dashed lines (204-206) (Col. 5, lines 10-11; Fig. 2; compare with Claims 10-11 (and similarly Claims 22-23, and 34-35), “... **the first/second set of fields comprises one or more comment fields which display one or more comment strings**”).

In regard to dependent Claim 12 (and similarly dependent Claims 24, and 36), Claim 12 (and similarly Claims 24, and 36) reflect the method as claimed in Claims 1, 13, and 25, respectively, and in further view of the following, are rejected along the same rationale. Norden-Paul teaches that more than one column can exist in the previously taught flowsheet as displayed in Figs. 5-10.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

James H. Blackwell
07/22/04